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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 08-0884 VRW
)	
Plaintiff,)	STIPULATION AND PROPOSED
)	ORDER EXCLUDING TIME FROM
v.)	SPEEDY TRIAL ACT CALCULATION
)	(18 U.S.C. § 3161(h)(8)(A))
JOSEPH WILLIS, JR.,)	
)	
Defendant.)	

With the agreement of the parties, and with the consent of defendant Joseph Willis, Jr., the Court enters this order documenting defendant's exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(c)(1), from March 19, 2009, to July 6, 2009. The parties agree, and the Court finds and holds, as follows:

1. Defendant agreed to an exclusion of time under the Speedy Trial Act. Failure to grant the requested continuance would unreasonably deny defendant's counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence, in this case. Defendant's counsel, Ms. Moorman, entered the case only on February 19 and requires time to prepare the case for trial. She is unable to try the case within the otherwise applicable speedy trial period because of competing demands on her time, including an intervening trial in state

1 court.

2 2. Given these circumstances, the Court found that the ends of justice served by
3 excluding the period from March 19, 2009, to July 6, 2009, outweigh the best interest of the
4 public and the defendant in a speedy trial. Id. at § 3161(h)(8)(A).

5 3. Accordingly, and with the consent of the defendant, at the hearing on March 19,
6 2009, the Court ordered that the period from March 19, 2009, to July 6, 2009, be excluded from
7 Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

8 IT IS SO STIPULATED.

9
10 DATED: March 31, 2009

/s/

ANN C. MOORMAN
Attorney for Defendant

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12
13 DATED: March 31, 2009

/s/

ANDREW P. CAPUTO
Assistant United States Attorney

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15
16 IT IS SO ORDERED.

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18 DATED: 4/2/2009

